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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 6174/2024, CRL.M.A. 23604/2024 &
CRL.M.A. 23605/2024

VISHAL GHAMBHIR

.....Petitioner

Through: Mr. Prateek Goswami,
Mr. Shashank Goswami &
Ms. Nancy Goswami,
Advs.

versus

STATE OF NCT OF DELHI
AND ANR.

.....Respondents

Through: Mr. Rajkumar, APP for
the State

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

09.08.2024

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1. The present petition is filed seeking quashing of FIR No. 113/2022 dated 07.05.2022, registered at Police Station Greater Kailash, for offences under Sections 498A/406/34 of the Indian Penal Code, 1860.
2. The present FIR was registered on a complaint given by Respondent No. 2 alleging cruelty by her husband and his family members.
3. The learned counsel for the petitioner submits that the petitioner is admittedly a distant relative. He submits that the complaint was filed by Respondent No. 2 due to matrimonial acrimony with her husband.
4. He submits that, at the time of filing of the complaint, no allegation was made against the petitioner since he had nothing to do with the allegations in regard to cruelty or demand of



dowry.

5. He submits that the petitioner is married to the sister of Respondent No. 2's husband and is not staying in the same household where the complainant stays.

6. He submits that, surprisingly, the petitioner has been named as an accused in the chargesheet filed by the State solely on the basis of the statement which was given by the petitioner himself that during the wedding, one gold chain was given to the petitioner.

7. He submits that the statement, even if taken at the highest, does not constitute any offence. The same does not fall within the definition of 'dowry'.

8. He, however, at the outset, seeks liberty to withdraw the present petition and take all arguments before the learned Trial Court since the chargesheet has already been filed in the present case and the matter is listed for arguments on charge.

9. In view of the above, the present petition is dismissed as withdrawn with liberty to approach this Court in case any grievance remains.

AMIT MAHAJAN, J

AUGUST 9, 2024

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